

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**  
MISSOURI CLEAN WATER COMMISSION



## MISSOURI STATE OPERATING PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

**Permit No.:** MO-0124940  
**Owner:** Merchant Energy Partners (MEP)  
**Owner's Address:** 25111 E. 175<sup>th</sup> Street, PO Box 110, Pleasant Hill, MO 64080  
**Continuing Authority:** Same as above  
**Continuing Authority's Address:** Same as above  
**Facility Name:** MEP, Pleasant Hill, L.L.C.-Aries Power Plant  
**Facility Address:** 25111 E. 175<sup>th</sup> Street, PO Box 110, Pleasant Hill, MO 64080  
**Legal Description:** SE ¼, SW ¼, Sec. 13, T46N, R31W, Cass County  
**Latitude/Longitude:** #001: +3847350/-09417583; #002: +3847408/-09418076  
**Receiving Stream:** Rock Island Lake (U)  
**First Classified Stream and ID:** Big Creek (P) (01250)  
**USGS Basin & Sub-watershed No.:** (10290108-060003) 303(d) list

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

### **FACILITY DESCRIPTION**

Outfall #001 – Power Plant - SIC #4911

Storm water runoff/occasional cooling water discharges.

Design flow is 1.8 MGD.

Actual flow is dependent upon precipitation.

Outfall #002 – Power Plant - SIC #4911

Storm water runoff.

Design flow is 1.8 MGD.

Actual flow is dependent upon precipitation.

This permit authorizes only wastewater, including storm waters, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

April 1, 2005

Effective Date

Doyle Childers, Director, Department of Natural Resources  
Executive Secretary, Clean Water Commission

April 1, 2010

Expiration Date  
MO 780-1481 (7-94)

Edward Galbraith, Director of Staff, Clean Water Commission

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 2 of 5	
					PERMIT NUMBER MO-0124940	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfalls #001 and #002 Stormwater Only</u>						
Flow	MGD	*		*	twice/year**	24 hr. estimate
Total Suspended Solids	mg/L	100		50	twice/year**	grab
Settleable Solids	ml/L	1.5		1.0	twice/year**	grab
Oil & Grease	mg/L	15		10	twice/year**	grab
pH – Units	SU	***		***	twice/year**	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>October 28, 2005</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- \* Monitoring requirement only.
- \*\* Sample twice per year in April and October.
- \*\*\* pH is measured in pH units and is not to be averaged. The pH is to be limited to the range of 6.0-9.0 pH units.

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:
  - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
    - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
    - (2) controls any pollutant not limited in the permit.
  - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
  - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.
2. All outfalls must be clearly marked in the field.
3. Permittee will cease discharge by connection to areawide wastewater treatment system within 90 days of notice of its availability.

C. SPECIAL CONDITIONS (continued)

4. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
  - (1) One hundred micrograms per liter (100 µg/L);
  - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
  - (4) The level established in Part A of the permit by the Director.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.
- (c) That the effluent limit established in part A of the permit will be exceeded.

5. Report as no-discharge when a discharge does not occur during the report period.

6. Water Quality Standards

- (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
- (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
  - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
  - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
  - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
  - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
  - (5) There shall be no significant human health hazard from incidental contact with the water;
  - (6) There shall be no acute toxicity to livestock or wildlife watering;
  - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
  - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

7. The primary requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be prepared within 180 days and implemented within 360 days of permit issuance. The SWPPP must be kept on-site and should not be sent to MDNR unless specifically requested. The permittee shall select, install, use, operate and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:

Storm Water Management For Industrial Activities, Developing Pollution Prevention Plans and Best Management Activities, (Document number EPA 832-R92-006) published by the United States Environmental Protection Agency (USEPA) in September 1992.

C. SPECIAL CONDITIONS (continued)

The SWPPP must include the following:

- (a) An assessment of all storm water discharges associated with motorboat or personal watercraft maintenance (including rehabilitation, mechanical or structural repairs, painting, and lubrication), fueling, and equipment cleaning. This must include a list of potential contaminants and an annual estimate of the amounts that will be used in the described activities.
  - (b) A listing of Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter storm water.
  - (c) A schedule for implementing the BMPs.
  - (d) The SWPPP must include a schedule for a monthly site inspection and a brief written report. The inspection must include observation and evaluation of BMP effectiveness, deficiencies, and corrective measure that will be taken. Deficiencies must be corrected within seven days. Inspection reports must be kept on site with the SWPPP. These must be made available to MDNR personnel upon request.
  - (e) A provision for designating an individual to be responsible for environmental matters.
  - (f) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of maintenance, fueling and cleaning areas. The facility must maintain records documenting proof of training, and submit these records on request to MDNR.
8. An annual operating report must be submitted by October 28 of each year (notwithstanding any reporting requirements contained in the attached "Standard Conditions"). The report shall detail any unusual occurrences such as spills, tank failures or overflows, ruptured piping, fish kills, fire fighting activities, or other upsets which resulted in any loss of product. Product includes but is not limited to, fuels, oil, and paints. The reports shall also detail any remedial work undertaken to recover product or clean up the site. The report must also indicate if nothing unusual occurred. Please include your permit number with the report.
9. All paints, varnishes, glues, solvents, petroleum products and petroleum waste products (except fuels), shall be stored so that these materials are not exposed so storm water. Spill prevention control, and/or management shall be provided sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
10. Substances regulated by federal law under the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that are transported, stored, or used for maintenance cleaning or repair shall be managed according to the provisions of RCRA and CERCLA.
11. All fueling facilities present on site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and countermeasures.
12. Collection facilities shall be provided on site, and arrangement made for proper disposal of waste products, including but not limited to petroleum waste products, and solvents.

C. SPECIAL CONDITIONS (continued)

13. This permit applied to storm water discharges only and does not allow the discharge of any process wastewater, cooling water, etc. Removed residuals from the wastewater treatment/recycling system shall be disposal properly in accordance with applicable state and federal laws.
14. Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehousing activities and thereby prevent the contamination of storm water from these substances.
15. The permittee shall report any unusual occurrences such as spills, tank failures or overflows, ruptured piping or other upsets which result in any loss of product or additive within 24 hours of the occurrence. A written report of such occurrences shall be submitted within (10) working days. The report shall also detail any remedial work undertaken to recover product or clean-up of the site. This report must be sent to the department's Kansas City Regional Office and the Water Protection Program, Water Pollution Branch in Jefferson City, Missouri.
16. This permit may be reopened and modified or alternatively revoked and reissued to incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analyses, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the states water quality standards.
17. Any spills or overflows of cooling or blowdown water must be sampled and analyzed for Total Residual Chlorine and pH. These reports must be submitted in the report discussed in Special Condition No. 16.